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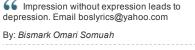
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New twist to KKD scandal: State may continue prosecution but... Lawyer

By Myjoyonline.com | Nathan Gadugah







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A lawyer and Lecturer at the Ghana Law School says the state has the final say in respect of the rape charge against ace broadcaster Kwasi Kyei Darkwah (KKD) which has taken a new

Opoku Adusei said in criminal matters the accused is deemed to have committed the offence against the state and it is only the state that can decide to or not to prosecute the case.

He was reacting to the new twists in the KKD tale.

The alleged victim Ewuraffe Orleans Thompson has signaled the Ghana Police of her decision to discontinue the case citing the "media frenzy" and the toll the matter had taken on her.

In a two paged letter, the accuser said she is unable to continue cooperating with the police who are prosecuting the case.

Shortly after that letter was made public, the accused, KKD, also issued an unqualified apology to the victim and pleaded with the media to spare both families the trauma they have gone through.

With the complainant writing to officially withdraw the case, questions have been asked as to whether the case has come to an end or whether it would be continued.

"It is not the end but it signifies the near end of the case," Lawyer Opoku Adusei told Joy News.

He said the accuser is only a witness in the matter and the state may be able to continue if it so wishes.

He was quick to add that with the prime witness indicating her unpreparedness to continue with the case it will be difficult for the state to prove beyond every reasonable doubt that the accused is guilty.

Especially when KKD conceded to having consensual sex with the accuser, it is incumbent on the prosecution to prove that it was rape, something they can only do with the cooperation of the accuser, Lawyer Adusei stated.

He said if the state realises that it cannot successfully prosecute the case it would only end the matter.

KKD was arrested by the Airport Police on December 27, 2014 after the 19-year-old accused him of raping her in a hotel washroom.

Mr. Darkwah admitted having sex with the lady but denied he forced her. She consented, he insisted.

He was brought before the Kaneshie District Magistrates' Court after he had been detained for three days in police cells. The court refused him bail and remanded him into police cells.



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The police said they have forwarded the letter from the accuser to the Attorney General for advice.

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